

**REMARKS**

This application is a division of earlier application Serial No. 09/939,643 pending in TC 1771.

Restriction was required between Group I claims 1-8 and 10 directed to a shape memory foam and Group II claim 9 drawn to a method of making a shape memory foam; see the Official Action of September 27, 2002, Paper No. 4. The claims of Group I were elected (with traverse) and examined.

Later, in an Amendment filed October 23, 2003, claims were amended and directed to an article having a joint and a shape memory foam. To this the examiner made, in effect, a further requirement for restriction; see the communication dated January 12, 2004. Claims 1-10 have been revised and rewritten and now appear as new claims 11-20.

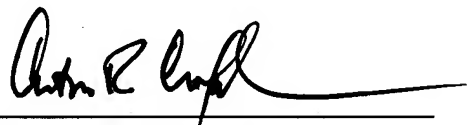
This divisional application is directed to the non-elected subject matter of the Amendment of October 23, 2003. Claim 19 is also included and applicants request the claim be rejoined once allowable subject matter is indicated in the elected claims.

Please examine claims 11-20 taking into account the IDS filed concurrently with this Amendment.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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